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UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

UN U IM,

Plaintiff,

vs.

HOME DEPOT U.S.A., INC., and
 DOES 1-50,

Defendant.

Case No. C- 17-1092 MMC

**JOINT CASE MANAGEMENT
 STATEMENT AND
 [PROPOSED] ORDER**

Date: June 2, 2017
Time: 10:30 a.m.
Dept.: Courtroom #7

Plaintiff UN U IM (“Plaintiff”) and Defendant HOME DEPOT U.S.A., INC.
 (“Defendant”) jointly submit this JOINT CASE MANAGEMENT STATEMENT &
 PROPOSED ORDER pursuant to the Standing Order for All Judges of the Northern
 District of California dated January 7, 2017, and Civil Local Rule 16-9.

1. JURISDICTION & SERVICE

Diversity jurisdiction. There are no service of process issues at this time.

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2. FACTS

Plaintiff alleges she was shopping at the Home Depot store in Hercules, California, on October 10, 2015, when merchandise fell off a shelf, causing injuries to Plaintiff. Damages and liability are disputed.

3. LEGAL ISSUES

Whether Defendant's negligence caused the incident. Whether Plaintiff's damages were caused by the incident and/or whether Plaintiff has comparative fault and/or pre-existing injuries that contributed to her damages.

4. MOTIONS

No pending motions.

5. AMENDMENT OF PLEADINGS

None expected at this time.

All DOE parties, if any, are hereby dismissed.

6. EVIDENCE PRESERVATION

No expected issues at this time.

7. DISCLOSURES

The parties have agreed to exchange initial disclosures on May 26, 2017.

8. DISCOVERY

Plaintiffs responded to written discovery in state court. Plaintiffs served written discovery on Defendant in state court, but then the case was removed to Federal Court.

Defendant will require a stipulated protective order be entered in to and approved by the Court before providing any confidential, proprietary, trade-secret, or other information or documents that it otherwise considers sensitive in nature and/or not appropriate for public review or dissemination.

9. CLASS ACTIONS

Not applicable.

10. RELATED CASES

None.

11. RELIEF

Medical Expenses: \$485,318.02 in charges but not complete. There is a subrogation amount pending from Rawlings. Counsel for Plaintiff has not yet received the amount.

Business Losses: Undetermined. Plaintiff had to sell her business as a result of incident. Report to be generated by economist/CPA.

General Damages: \$500,000 - \$1,000,000.00.

Total: \$1,500,000 - \$2,000,000.00.

Plaintiffs have provided a preliminary description of the damages and how the damages were calculated Plaintiff.

The nature, extent, recoverability, and causation of the damages are disputed.

12. SETTLEMENT AND ADR

The parties have agreed to attend private mediation approximately one month after Plaintiff's deposition. A mediation deadline of October 5, 2017 is proposed.

13. CONSENT TO MAGISTRATE JUDGE FOR ALL PURPOSES

The parties have not consented to a magistrate judge for all purposes.

14. OTHER REFERENCES

Not applicable.

15. NARROWING OF ISSUES

None at this time.

16. EXPEDITED TRIAL PROCEDURE

None at this time.

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17. SCHEDULING

Proposed dates for designation of experts, discovery cutoff, hearing of dispositive motions, pretrial conference and trial.

Initial Disclosures Exchanged	June 1, 2017
Mediation Deadline	October 5, 2017
Non-Expert Discovery Cutoff	December 22, 2017
Non-Expert Discovery Motions (Last Day to Hear)	January 19, 2017
Mandatory Settlement Conference	February 6, 2018
Plaintiff's Rule 26(a)(2)(B) Disclosures	March 2, 2018
Defendant's Rule 26(a)(2)(B) Disclosures	March 30, 2018
Rebuttal Expert Disclosures	April 20, 2018
Expert Discovery Cutoff	June 15, 2018
Daubert/Dispositive Motions Filed On or Before	August 14, 2018
Daubert/Dispositive Motions (Last Day to Hear)	September 18, 2018
Pre-trial Conference	November 6, 2018
Trial	December 3, 2018

18. TRIAL

A jury trial is requested. Pursuant to Federal Rules of Civil Procedure, rule 48(a)

HOME DEPOT hereby requests a jury of 12 jurors.

It is anticipated that this jury trial will take 4-5 days.

19. DISCLOSURE OF NON-PARTY INTERESTED ENTITIES/PERSONS

HOME DEPOT has already filed a "Certification of Interested Entities or Persons" as required by Civil Local Rule 3-15. Based on the information presently known to Plaintiff and Defendant, the following individuals/entities listed parties have a direct pecuniary interest in the outcome of this case: Plaintiff UN U IM and Defendant HOME DEPOT U.S.A., INC.

If information is discovered that requires the supplementation or amendment of this certification, Defendant and Plaintiff reserve the right to make such amendment or correction promptly.

20. PROFESSIONAL CONDUCT

All attorneys of record for the parties have reviewed the Guidelines for Professional Conduct for the Northern District of California.

21. OTHER

None at this time.

1 DATED: March 17, 2017

GOODMAN NEUMAN HAMILTON LLP

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3 By: /S/

4 PAIGE YEH
Attorneys for Defendant
HOME DEPOT U.S.A., INC.

5
6 DATED: March 17, 2017

LAW OFFICE OF GUNTER MIHAESCU

7 By: /S/

8 GUNTER MIHAESCU, ESQ.
Attorneys for Plaintiff
9 UN U IM

10 **CASE MANAGEMENT ORDER**

11 The above JOINT CASE MANAGEMENT STATEMENT & PROPOSED
12 ORDER is approved as the Case Management Order for this case and all parties shall
13 comply with its provisions.

14 In addition, the Court makes the further orders stated below:

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22 IT IS SO ORDERED

23
24 Dated:

25 HON. MAXINE M. CHESNEY

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Hamilton LLP**
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28 Tel.: (415) 705-0400